

GEORGE ARTHUR,)	3:11-cv-00804-HDM-WGC
)	
Plaintiff,)	
)	ORDER
vs.)	
)	
DOCTOR MARTIN, <i>et al.</i> ,)	
)	
Defendant(s))	
)	

Plaintiff's motion seeks production of "any and all medical lawsuits against Dr. Martin, Dr. Mar, Dr. Koehn, and Warden R. Baker, from 2007 to 2012." (Doc. #38 at 1.) Although Plaintiff's motion characterizes it as being "relevant to [Plaintiff's] case," Plaintiff does not describe the relevancy these other lawsuits may have upon the instant matter.

The Defendants correctly argue Plaintiff's motion to compel is a discovery motion subject to the "meet and confer" requirements of Local Rule 26-7. Although Plaintiff, an inmate, obviously cannot "meet" with defendants' counsel, he can confer to attempt to resolve the discovery dispute. L.R. 26-7 contemplates the parties undertake "personal consultation" to make a "sincere effort" to resolve the subject of the discovery dispute. Plaintiff fails to provide a statement he has done so as is required by L.R. 26-7(b). In that regard, the Court notes Defendants' counsel represents Plaintiff never contacted Defendants' counsel regarding any attempt to resolve the discovery dispute. (Doc. #41 at 2, fn. 2.)

1 However, even if Plaintiff's motion were not procedurally deficient, the Court doubts there is
2 any relevance to "lawsuits" which may have been filed against Defendants. (Doc. #41-1 at 3.) The
3 gravamen of Plaintiff's civil rights action was that he was taken off psychiatric medication, was not
4 provided a hernia support belt and was denied hernia surgery. (Screening Order, Doc. #3 at 4.) These
5 allegations were characterized therein as presenting a colorable Eighth Amendment claim. (*Id.*)
6 Plaintiff fails to provide any rationale as to how evidence of other lawsuits will assist will assist
7 Plaintiff in proving he had a serious medical need or that the defendants were deliberately indifferent
8 thereto, which are the standards utilized to evaluate an Eighth Amendment claim. *Farmer v. Brennan*,
9 511 U.S. 825, 834, 837 (1994).

10 Plaintiff's "Motion for Request of Documents #10..." (Doc. #38) is **DENIED**.

11 **IT IS SO ORDERED.**

12
13 DATED: September 21, 2012

14
15 
16 _____
17 WILLIAM G. COBB
18 UNITED STATES MAGISTRATE JUDGE
19
20
21
22
23
24
25
26
27
28